



GAIL FARBER, Director

**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

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ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE  
REFER TO FILE

September 27, 2016

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

#2

September 27, 2016

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

*Lori Glasgow*  
LORI GLASGOW  
EXECUTIVE OFFICER

Dear Supervisors:

**PUBLIC HEARING  
RESOLUTION OF NECESSITY TO CONDEMN REAL PROPERTY INTERESTS  
VASQUEZ CANYON ROAD 1.04 MILE EAST OF BOUQUET CANYON ROAD  
PARCELS 3-37RE, 3-37T, 3-38RE, 3-39RE, 3-39T, AND 3-40RE  
UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES  
(SUPERVISORIAL DISTRICT 5)  
(4 VOTES)**

**SUBJECT**

This action pertains to the adoption of a resolution of necessity to condemn easements for public road and highway purposes and temporary construction easements in the unincorporated area of the County of Los Angeles for a project to repair and reconstruct Vasquez Canyon Road 1.04 Mile east of Bouquet Canyon Road.

**IT IS RECOMMENDED THAT THE BOARD:**

**AFTER THE PUBLIC HEARING:**

1. Find that the proposed project is statutorily exempt from the provisions of the California Environmental Quality Act.
2. Adopt a resolution of necessity to acquire, by eminent domain, permanent easements for public road and highway purposes over Parcels 3-37RE, 3-38RE, 3-39RE, and 3-40RE and temporary construction easements over Parcels 3-37T and 3-39T in the unincorporated area of the County of Los Angeles.

3. Instruct County Counsel to file eminent domain proceedings and take the necessary actions to obtain an Order for Prejudgment Possession.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to adopt the enclosed Resolution of Necessity to file a condemnation action to acquire the necessary permanent road and highway easements and temporary construction easements for the Vasquez Canyon Road 1.04 Mile east of Bouquet Canyon Road project.

On November 19, 2015, a 600-foot segment of Vasquez Canyon Road between Bouquet Canyon Road and Sierra Highway sustained major slide damage and road deformations that prompted closure of the road. This land movement was attributed to a series of rainstorms that swept through Central and Southern California in July 2015, causing flash flooding and mudflows that damaged roads in six counties, including roads in the County of Los Angeles. On July 22, 2015, Lieutenant Governor Gavin Newsome proclaimed a state of emergency for six counties, including the County. The California Department of Transportation (Caltrans) was ordered to request immediate assistance through the Federal Highway Administration's (FHWA's) Emergency Relief Program in order to obtain Federal assistance for highway repairs or reconstruction for the affected counties. The County applied for and received emergency relief in the amount of \$5.2 million from the FHWA to repair the road.

To restore essential traffic for the neighboring communities, the Department of Public Works is proposing the project to repair and reopen the road. The project will involve removal of slide material, regrading of the slope, and reconstruction of the paved roadway. The slope repair will require work that extends outside of the existing road right of way onto private property.

Public Works has offered to acquire the easement rights in Parcels 3-37RE, 3-37T, 3-38RE, 3-39RE, 3-39T, and 3-40RE, which affect Assessor's Identification Nos. 2813-013-002, 2813-013-003, 2813-015-007, and 2813-015-009 from the owner of record through a voluntary purchase and sale but has been unsuccessful.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provision of Integrated Services Delivery (Goal 3) as the project will allow the County to reconstruct certain road improvements and reopen the road, thus improving services and the quality of life for the residents of the County.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the General Fund.

FHWA, through Caltrans, authorized funding for the repairs under Emergency Opening conditions to be carried out by agency's forces. The total maximum amount eligible for reimbursement under FHWA emergency funding is \$5.2 million.

Construction costs are estimated to be \$4 million.

The estimated fair market value for the permanent and temporary construction easements is \$31,580 plus additional condemnation processing costs, which will be deposited with the Los Angeles Superior Court in conjunction with the filing of the condemnation action.

Funding for the acquisition is included in the Road Fund Fiscal Year 2016-17 Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The property to be acquired consists of permanent easements for public road and highway purposes (containing approximately 3.21 acres) and temporary construction easements (containing approximately 1.07 acres) over portions of property identified as Assessor's Identification Nos. 2813-013-002, 2813-013-003, 2813-015-007, and 2813-015-009 in the unincorporated area of the County.

In accordance with Section 1245.230 of the California Code of Civil Procedure, the Board must make the following findings and determinations:

1. The public interest and necessity require this project.
2. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property proposed to be acquired, as described in the Resolution, is necessary for this project.

In addition to the circumstances discussed above, these findings and determinations are appropriate for the following additional reasons:

- Vasquez Canyon Road is a vital transportation artery that provides connectivity to the communities of Aqua Dulce and Santa Clarita.
- This roadway is integral to the safe egress of property owners during times of emergencies, such as flood, fire, or earthquake.
- The project seeks to restore the roadway to its original footprint.
- The property within and immediately surrounding the landslide area has been damaged and disturbed from the earth movement and has become unstable. These areas must be regraded in order to restore the roadway to a stable condition for the safety of the traveling public.

Section 1245.230 of the California Code of Civil Procedure also requires that the Board find and determine that the offer, required by Section 7267.2 of the California Government Code, was made to the owner of record or that the offer was not made because the owner could not be located with reasonable diligence.

Public Works prepared an appraisal of the fair market value of the property proposed to be acquired and, based on this appraisal, has established an amount believed to be just compensation for the property. An offer was made to the owner of record in this amount; however, a response was never received.

Section 1245.235 of the California Code of Civil Procedure requires that the Board hold a public hearing prior to determining whether or not to adopt the enclosed proposed Resolution of Necessity. Notice of the public hearing has been mailed to the owner of record.

### **ENVIRONMENTAL DOCUMENTATION**

The project is statutorily exempt from the California Environmental Quality Act (CEQA). The purpose of the project is to repair and restore Vasquez Canyon Road, which was damaged by the rainstorms and flooding that occurred in July 2015. Vasquez Canyon Road is located in a disaster-stricken area in which a state of emergency was proclaimed on July 22, 2015, pursuant to the California Emergency Services Act. Accordingly, the project is statutorily exempt from CEQA pursuant to Public Resources Code, Sections 21080(b)(3) and 15269(a), of the CEQA Guidelines.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Repairing the roadway will reduce response times for emergencies, and service calls will be reduced, which will help preserve life and property.

### **CONCLUSION**

Please return one adopted copy of this letter and the executed original Resolution of Necessity to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,



GAIL FARBER

Director

GF:SGS:tw

Enclosures

c: Auditor-Controller (Accounting Division–Asset  
Management)  
Chief Executive Office (Rochelle Goff)  
County Counsel  
Executive Office

**RESOLUTION OF NECESSITY OF THE COUNTY OF LOS ANGELES  
TO EXERCISE THE POWER OF EMINENT DOMAIN  
TO ACQUIRE PROPERTY FOR THE VASQUEZ CANYON ROAD  
1.04 MILE EAST OF BOUQUET CANYON ROAD PROJECT**

WHEREAS, the County of Los Angeles proposes to repair and reconstruct a portion of the Vasquez Canyon Road 1.04 Mile east of Bouquet Canyon Road, including removal of landslide material, regrading of the slope, and reconstruction of the paved roadway; and

WHEREAS, the project is proposed to be located on land along Vasquez Canyon Road between Bouquet Canyon Road and Sierra Highway in the unincorporated area of Los Angeles County identified as Assessor's Identification Nos. 2813-013-002, 2813-013-003, 2813-015-007, and 2813-015-009.

NOW, THEREFORE, the Board of Supervisors of the County of Los Angeles hereby finds, determines, and resolves as follows:

- Section 1. The project is statutorily exempt from the California Environmental Quality Act (CEQA). The project involves the repair and restoration of facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed pursuant to the California Emergency Services Act and is therefore exempt from CEQA pursuant to Section 21080(b)(3) of the Public Resources Code and Section 15269(a) of the CEQA Guidelines.
- Section 2. The public interest and necessity require the project.
- Section 3. The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- Section 4. The property in Section 6 below is necessary for the project.
- Section 5. The offer, as required by Section 7267.2 of the California Government Code, has been made to the owner of record but has been unsuccessful.
- Section 6. The property to be acquired is as follows:
- (a) Permanent easements for public road and highway purposes on, over, and across all that real property described as Parcels 3-37RE, 3-38RE, 3-39RE, and 3-40RE in Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein; and

- (b) Temporary construction easements on, over, and across all that real property described as Parcels 3-37T and 3-39T in Exhibit A and depicted on Exhibit B attached hereto.

all located in the unincorporated territory of the County of Los Angeles.

Section 7. The property described in Section 6 above is to be taken for public uses: namely, for public road and highway purposes, including temporary construction and all uses necessary, incidental, or convenient thereto, in connection with the repair, reconstruction, operation, and maintenance of Vasquez Canyon Road.

Section 8. The County of Los Angeles is authorized to acquire the property interests described above pursuant to the following:

- (a) Article 1, Section 19, of the Constitution of the State of California;
- (b) California Code of Civil Procedure, Sections 1230.010 through 1273.050; and
- (c) California Government Code, Section 25350.5.

Section 9. A notice of intention to adopt this resolution was given by first class mail to each person whose property is to be acquired by eminent domain in accordance with Section 1245.235 of the Code of Civil Procedure and a hearing was duly conducted by the Board on the matters contained herein.

Section 10.

- (a) County Counsel is hereby authorized to institute eminent domain proceedings in the Superior Court of the State of California for the County of Los Angeles for the purpose of acquiring the real property described in Section 6 above and is further authorized to institute proceedings for taking of immediate possession in accordance with the provisions of all applicable laws.
- (b) County Counsel is further authorized to correct any errors or to make or agree to any nonmaterial changes to the legal description of the real property that are deemed necessary for the conduct of the condemnation action or other

proceedings or transactions required to acquire the properties and to take all other necessary actions to complete the acquisition of the properties.

- (c) County Counsel is further authorized to associate with, at its election, a private law firm for the preparation and prosecution of said proceedings.

The foregoing Resolution was duly adopted by the Board of Supervisors of the County of Los Angeles by not less than a two-thirds vote of its members, on the 27th day of September 2016.

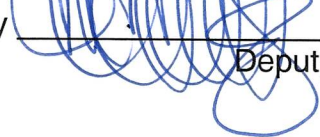
APPROVED AS TO FORM:

MARY C. WICKHAM  
County Counsel

LORI GLASGOW  
Executive Officer of the  
Board of Supervisors of the  
County of Los Angeles



By   
Deputy

By   
Deputy

ANR:tw

P:\MPPUB\ADMIN\TRACY\BOARD LETTER\ALEX NR\VASQUEZ CANYON\RESOLUTION FINAL.DOCX





1 Official Records, in the office of the Registrar-Recorder/County Clerk of said county;  
2 thence southerly, along said east line, to the northerly sideline of that certain  
3 80-foot-wide strip of land described as Part A under the heading "PARCELS 3-22,  
4 22S.1 and 22S.2" in said deed; thence westerly, along said northerly sideline, to  
5 the southeasterly corner of that certain parcel of land described as Part E: (22-S.1)  
6 in said deed; thence northerly, in a direct line, to the northeasterly corner of said  
7 Part E: (22-S.1); thence northeasterly, in a direct line, to the point of beginning.

8  
9 To be known as VASQUEZ CANYON ROAD.

10  
11 Containing: 10,690± square feet.

12  
13 **PARCEL NO. 3-37T** (Easement for temporary construction area):

14  
15 That portion of the southeast quarter of the southeast quarter of the northeast  
16 quarter of the above-mentioned Section 33 within the following described boundaries:

17  
18 Beginning at the most northerly corner of the above-described **PARCEL**  
19 **NO. 3-37RE**; thence southwesterly, along the northwesterly line of said **PARCEL**  
20 **NO. 3-37RE**, to the northerly line of the above-mentioned Part E: (22-S.1); thence  
21 westerly, along said northerly line and its westerly prolongation, to the west line of the  
22 southeast quarter of the southeast quarter of the southeast quarter of the northeast  
23 quarter of said Section 33; thence northerly, along said west line, to a line parallel with  
24 and 30 feet northerly, measured at right angles, from said northerly line; thence  
25 easterly, along said parallel line, to a line parallel with and 50 feet northwesterly,  
26 measured at right angles, from said northwesterly line; thence northeasterly, along

1 said last-described parallel line, to a line parallel with and 270 feet northerly, measured  
2 at right angles, from the above-mentioned certain course having a bearing and length  
3 of South 79°02'00" West 351.72 feet; thence easterly, along said last-described  
4 parallel line, to the above-mentioned east line of said Section 33; thence southerly,  
5 along said east line, to the point of beginning.

6  
7 EXCEPTING therefrom any portion within that certain parcel of land described  
8 as Part B: (22-D.1 por.) in the above-mentioned deed.

9  
10 Containing: 18,188± square feet.

11  
12 **PARCEL NO. 3-38RE** (Easement for public road and highway purposes):

13  
14 That portion of the southeast quarter of the southeast quarter of the southeast  
15 quarter of the northeast quarter of the above-mentioned Section 33 within the following  
16 described boundaries:

17  
18 Beginning at the intersection of the east line of said section and a line parallel  
19 with and 140 feet southerly, measured at right angles, from the above-mentioned  
20 certain course having a bearing and length of South 79°02'00" West 351.72 feet;  
21 thence westerly, along said parallel line, a distance of 162.56 feet; thence westerly, in  
22 a direct line, to the southwesterly corner of that certain parcel of land described as Part  
23 F: (22-S.2) in the above-mentioned deed; thence easterly and northerly, along the  
24 southerly and easterly lines, respectively, of said Part F: (22-S.2), to the southerly  
25 sideline of the last-above-mentioned 80-foot-wide strip of land; thence easterly, along  
26 said southerly sideline, to said east line; thence southerly, in a direct line, to the point

1 of beginning.

2  
3 To be known as VASQUEZ CANYON ROAD.

4  
5 Containing: 20,002± square feet

6  
7 **PARCEL NO. 3-39RE** (Easement for public road and highway purposes):

8  
9 That portion of the south half of the northwest quarter of Section 34, Township 5  
10 North, Range 15 West, S.B.M., within the following described boundaries:

11  
12 Beginning at the most northerly corner of the above-described **PARCEL**  
13 **NO. 3-37RE**; thence North 79°02'00" East, along a line parallel with and 220 feet  
14 northerly, measured at right angles, from the above-mentioned certain course having a  
15 bearing and length of South 79°02'00" West 351.72 feet, to a line parallel with and  
16 257 feet easterly, measured at right angles, from the above-mentioned east line;  
17 thence South 55°29'07" East to the first-above-mentioned centerline; thence westerly,  
18 along said centerline, to said east line; thence northerly, in a direct line, to the point of  
19 beginning.

20  
21 EXCEPTING therefrom any portion within those certain parcels of land  
22 described in the above-mentioned deed.

23  
24 To be known as VASQUEZ CANYON ROAD.

25  
26 Containing: 1.34± Acres

1 **PARCEL NO. 3-39T** (Easement for temporary construction area):

2  
3 That portion of the above-mentioned south half within the following described  
4 boundaries:

5  
6 Beginning at the most northerly corner of the above-described **PARCEL**  
7 **NO. 3-37RE**; thence northerly, in a direct line, to the most northerly corner of the  
8 above-described **PARCEL NO. 3-37T**; thence easterly, along the easterly prolongation  
9 of the most northerly northerly line of said **PARCEL NO. 3-37T**, to a line parallel with  
10 and 50 feet northeasterly, measured at right angles, from the northeasterly line of  
11 the above-described **PARCEL NO. 3-39RE**; thence southeasterly, along said  
12 last-described parallel line, to the northerly boundary of that certain parcel of land  
13 described as Part J (27-S.4 por. and 27-S.7) in the above-mentioned deed; thence  
14 westerly, along said northerly boundary, to the most easterly corner of said **PARCEL**  
15 **NO. 3-39RE**; thence northwesterly and westerly, along the northeasterly and northerly  
16 lines, respectively, of said **PARCEL NO. 3-39RE**, to the point of beginning.

17  
18 Containing: 28,347± square feet

19  
20 **PARCEL NO. 3-40RE** (Easement for public road and highway purposes):

21  
22 That portion of the above-mentioned south half within the following described  
23 boundaries:

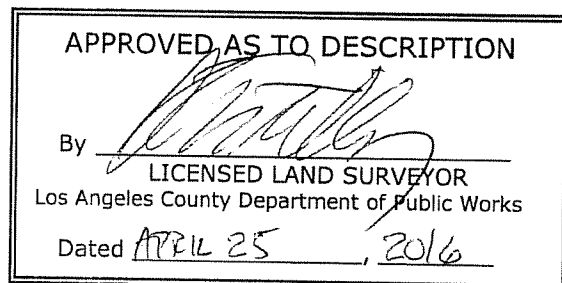
24  
25 Beginning at the intersection of the above-mentioned east line and the  
26 first-above-mentioned centerline; thence southerly, along said east line, to the

1 southeasterly corner of the above-described **PARCEL NO. 3-38RE**; thence North  
2 79°02'00" East, along the easterly prolongation of the southerly line of said **PARCEL**  
3 **NO. 3-38RE**, to the southerly line of that certain parcel of land described as Part F  
4 (27-D.4) in the above-mentioned deed; thence North 24°17'02" East to said centerline;  
5 thence northwesterly and westerly, along said centerline, to the point of beginning.

6  
7 EXCEPTING therefrom any portion within those certain parcels of land  
8 described in said deed.

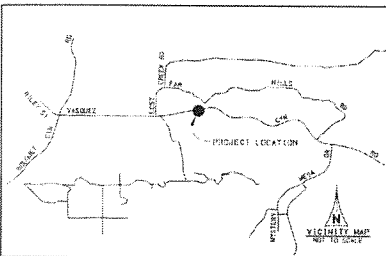
9  
10 To be known as VASQUEZ CANYON ROAD.

11  
12 Containing: 1.17± Acres



25 JB:tw

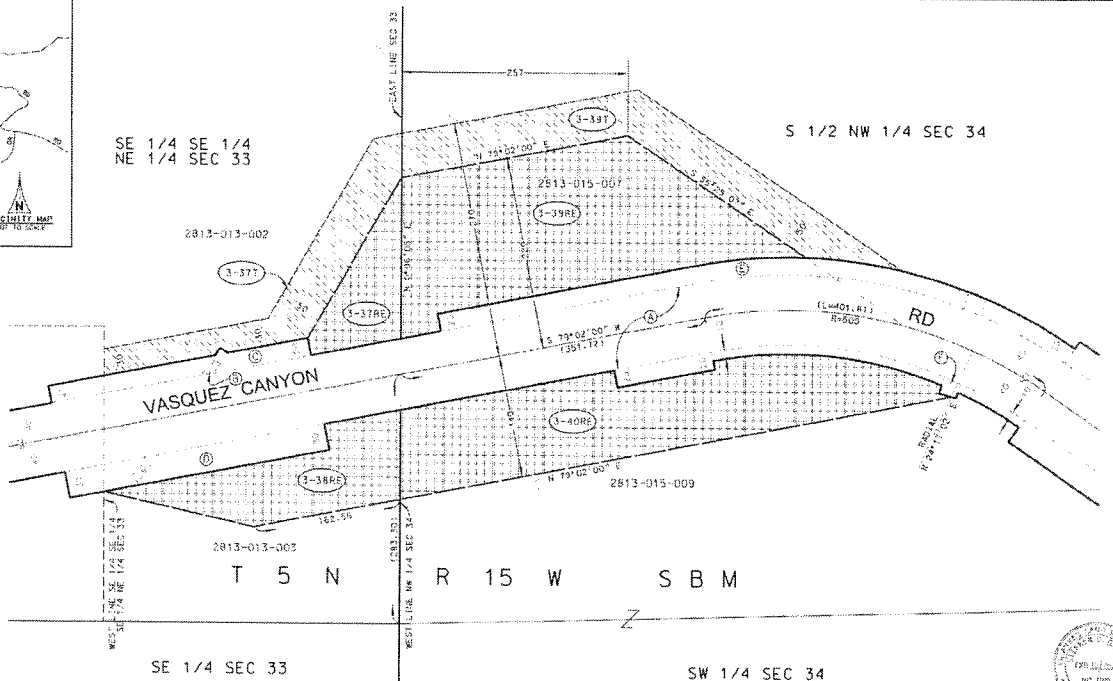
26 P:\MPPUB\ADMIN\TRACY\MP5\2016\JOHN B\CONDEMNATION 3-37RE.DOC



- LEGEND
- RECORD DISTANCES SHOWN TO: 1.
  - DISTANCES SHOWN IN FEET UNLESS OTHERWISE INDICATED.
  - AREAS SHOWN IN SQUARE FEET UNLESS OTHERWISE INDICATED.
  - RE DENOTES EASEMENT FOR PUBLIC ROAD AND HIGHWAY PURPOSES.
  - T DENOTES TEMPORARY CONSTRUCTION AREA.
  - SEE TITLE REPORT FOR COMPLETE VESTING INFORMATION.



FEET  
0 30 60 90 120  
SCALE



ALL IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

CONDEMNATION MAP  
EXHIBIT 'B'

PARCEL NO.	PROPERTY OWNER	VESTING DEED	TOTAL AREA	ADD. RECORDING DATA (D.P. DOCUMENT NO.)	REFERENCES	REVISED	PREPARED BY	APPROVED BY
3-37RE			16.072AC	10-6303	TO 4451 (22)		J. BURNESS	
3-37E			18.182E		(M. 279-137)		CHECKED BY:	
3-38RE	MARGIE F. COME	DE 83-000001, 07-11-1983	1.422AC	20-0023			BY DIRECTION OF:	
3-38E			45.302AC	1-3425C			DATE:	
3-39T			28.147T				APRIL 20, 2016	
3-40RE			21.722AC	1-1725C				

PROJECT NAME  
VASQUEZ CANYON ROAD 1.04 MILES  
E/O BOJOUET CANYON ROAD  
FILE: VASQUEZ CANYON ROAD (1)  
PROJECT ID: NGI-000016165

SHEET 1 OF 1 SHEET